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VIA ELECTRONIC FILING

The Honorable Gregory B. Williams
U.S. District Court for the District of Delaware
J. Caleb Boggs Federal Building
844 North King Street
Wilmington, DE 19801

Re: *International Business Machines Corporation v. Zynga Inc. et al.*,
C.A. No. 22-590-GBW

Dear Judge Williams:

The parties in the above referenced matter write to request the scheduling of a discovery teleconference.

The following attorneys, including at least one Delaware Counsel and at least one Lead Counsel per party, participated in a verbal meet-and-confer by telephone on June 30, 2023.

Delaware Counsel: David Moore (Plaintiff)
Michael J. Farnan (Defendants)

Lead Counsel: Lindsey Miller, Kyle Petrie (Plaintiff)
Jake O'Neal, Chris Childers, Justin Seccombe, Curtis Heckman
(Defendant)

The dispute requiring judicial attention is listed below:

- Whether Defendants must designate and make available a witness to testify regarding Topics 11, 13, and 15–23 listed in IBM's Second 30(b)(6) Notice for Deposition served on May 24, 2023 (D.I. 99), or whether such topics constitute improper discovery.

Respectfully,

/s/ David E. Moore

David E. Moore

DEM:nmt/10906076/00311-00032

cc: Clerk of Court (via hand delivery)
Counsel of Record (via electronic mail)